



House of Representatives

File No. 721

General Assembly

February Session, 2016

(Reprint of File Nos. 63 and 583)

Substitute House Bill No. 5324
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
April 25, 2016

AN ACT CONCERNING ALCOHOLIC LIQUOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 30-22b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2016*):

4 (a) A restaurant permit for a catering establishment shall allow a
5 catering establishment to serve alcoholic liquor at a function, occasion
6 or event on the premises of a catering establishment, [;] provided (1)
7 [that] alcoholic liquor shall be sold only to persons invited to and
8 attending such a function, occasion or event, and (2) [that] alcoholic
9 liquor shall be sold only during the specific hours such function,
10 occasion or event is scheduled on the premises. The permittee shall
11 comply with the regulations of the local department of health. The
12 department may waive the requirements of subdivisions (1) and (2) of
13 this subsection for not more than [four] sixteen functions, occasions or
14 events of a catering establishment annually, provided such
15 establishment makes written application to the department at least ten

16 days prior to the scheduled date of the function, occasion or event for
17 which a waiver is sought. The annual fee for a restaurant permit for a
18 catering establishment shall be one thousand four hundred fifty
19 dollars.

20 Sec. 2. Subsection (a) of section 30-91 of the 2016 supplement to the
21 general statutes is repealed and the following is substituted in lieu
22 thereof (*Effective from passage*):

23 (a) The sale or the dispensing or consumption or the presence in
24 glasses or other receptacles suitable to permit the consumption of
25 alcoholic liquor by an individual in places operating under hotel
26 permits, restaurant permits, cafe permits, restaurant permits for
27 catering establishments, bowling establishment permits, racquetball
28 facility permits, club permits, coliseum permits, coliseum concession
29 permits, special sporting facility restaurant permits, special sporting
30 facility employee recreational permits, special sporting facility guest
31 permits, special sporting facility concession permits, special sporting
32 facility bar permits, golf country club permits, nonprofit public
33 museum permits, university permits, airport restaurant permits,
34 airport bar permits, airport airline club permits, tavern permits, a
35 manufacturer permit for a brew pub, manufacturer permits for beer
36 and brew pubs, casino permits, caterer liquor permits and charitable
37 organization permits shall be unlawful on: (1) Monday, Tuesday,
38 Wednesday, Thursday and Friday between the hours of one o'clock
39 a.m. and nine o'clock a.m.; (2) Saturday between the hours of two
40 o'clock a.m. and nine o'clock a.m.; (3) Sunday between the hours of
41 two o'clock a.m. and [eleven] ten o'clock a.m.; (4) Christmas, except (A)
42 for alcoholic liquor that is served where food is also available during
43 the hours otherwise permitted by this section for the day on which
44 Christmas falls, and (B) by casino permittees at casinos, as defined in
45 section 30-37k; and (5) January first between the hours of three o'clock
46 a.m. and nine o'clock a.m., except that on any Sunday that is January
47 first the prohibitions of this section shall be between the hours of three
48 o'clock a.m. and [eleven] ten o'clock a.m.

49 Sec. 3. Subsection (f) of section 30-91 of the 2016 supplement to the
50 general statutes is repealed and the following is substituted in lieu
51 thereof (*Effective from passage*):

52 (f) The retail sale of wine and the tasting of free samples of wine by
53 visitors and prospective retail customers of a permittee holding a
54 manufacturer permit for a farm winery on the premises of such
55 permittee shall be unlawful on Sunday before eleven o'clock a.m. and
56 after ten o'clock p.m. and on any other day before [ten] eight o'clock
57 a.m. and after ten o'clock p.m. Any town may, by vote of a town
58 meeting or by ordinance, reduce the number of hours during which
59 sales and the tasting of free samples of wine under this subsection shall
60 be permissible.

61 Sec. 4. Subdivision (7) of subsection (e) of section 30-16 of the 2016
62 supplement to the general statutes is repealed and the following is
63 substituted in lieu thereof (*Effective from passage*):

64 (7) A holder of a manufacturer permit for a farm winery may sell
65 and offer free tastings of wine manufactured from such winery at a
66 farmers' market, as defined in section 22-6r, that is operated as a
67 nonprofit enterprise or association, provided such farmers' market
68 invites such holder to sell wine at such farmers' market and such
69 holder has a farmers' market wine sales permit issued by the
70 Commissioner of Consumer Protection in accordance with the
71 provisions of subsection (a) of section 30-37o.

72 Sec. 5. Section 30-90a of the 2016 supplement to the general statutes
73 is repealed and the following is substituted in lieu thereof (*Effective*
74 *from passage*):

75 Any person sixteen years of age or over may be employed by an
76 employer holding a permit issued under this chapter, except that (1)
77 any person fifteen years of age or older may be so employed by such
78 an employer on premises operating under a grocery store beer permit,
79 and (2) any person under the age of eighteen who is employed on any
80 permit premises shall not serve or sell alcoholic liquor. An employee

81 eighteen years of age or over who is located on the grocery store beer
82 permit premises shall approve all sales of beer on such premises. A
83 minor performing paid or volunteer services of an emergency nature
84 shall be deemed to be an employee subject to the provisions of this
85 section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2016</i>	30-22b(a)
Sec. 2	<i>from passage</i>	30-91(a)
Sec. 3	<i>from passage</i>	30-91(f)
Sec. 4	<i>from passage</i>	30-16(e)(7)
Sec. 5	<i>from passage</i>	30-90a

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Resources of the General Fund	GF - Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Section 1 increases, from four to sixteen, the number of functions for which catering establishments may waive the requirements (1) to serve only guests of a function, occasion or event and (2) to sell alcohol during a function, occasion or event.

This results in a potential minimal revenue gain in sales tax, to the extent that catering establishments increase sales of alcohol from this extension.

Sections 2 - 3 may result in a potential minimal revenue gain in sales tax by extending by one hour on Sunday the sale of alcohol for on-premise consumption and the sale of alcohol by manufacturer permittees for a farm winery. Any potential revenue gain would result only to the extent that additional sales of alcohol are generated that otherwise would not occur during the hours currently allowed by law.

The impacts to the sales tax listed above would also result in corresponding impacts to the Municipal Revenue Sharing Account and

the Special Transportation Fund.¹

House “A” eliminates a potential revenue loss of up to \$50,000 annually from the underlying bill by eliminating the provision which would prohibit the sale of alcohol on Easter.

House “A” also allows an employee of a grocery store beer permittee who is eighteen years or older to approve all sales of beer. There is no associated fiscal impact.

House “B” results in a potential minimal revenue gain in sales tax by modifying the hours that manufacturer permittees for a farm winery may sell retail wine.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ PA 15-244, as amended by PA 15-5 JSS and PA 15-1 DSS, requires a monthly transfer of a portion of the sales tax generated into the Municipal Revenue Sharing Account and the Special Transportation Fund. The general sales and use tax rate, from which the diversion occurs, remains at 6.35%.

OLR Bill Analysis**sHB 5324 (as amended by House "A" and "B")******AN ACT CONCERNING ALCOHOLIC LIQUOR.*****SUMMARY:**

This bill makes several unrelated changes to the Liquor Control Act.

The bill generally allows permittees that sell or dispense alcohol for on-premises consumption (e.g., restaurants and taverns) to sell and dispense alcohol an hour earlier on Sundays, starting at 10:00 a.m. instead of 11:00 a.m. By law, such permittees are generally allowed to sell and dispense alcohol from 9:00 a.m. to 1:00 a.m. the next morning from Monday through Thursday, and from 9:00 a.m. to 2:00 a.m. the next morning on Friday and Saturday.

By law, grocery store beer permittees may employ people as young as age 15, but employees under age 18 are prohibited from serving or selling alcoholic liquor. The bill requires an employee age 18 or over to approve all beer sales on a grocery store permittee's premises.

The bill increases the number of times, from four to 16, that the Department of Consumer Protection can waive the requirement that restaurant permittees for a catering establishment must only (1) serve alcohol for on-premises consumption to guests invited to and attending a function, occasion, or event at the catering establishment and (2) sell alcohol during the specific hours the function, occasion, or event is scheduled. By law, the establishment must apply for a waiver at least 10 days before the scheduled function, occasion, or event.

The bill allows manufacturer permittees for a farm winery to (1) sell and offer free samples of wine two hours earlier on Monday through Saturday, starting at 8:00 a.m. instead of 10:00 a.m., and (2) offer free wine tastings at a farmers' market if the wine was manufactured at the

winery. By law, a permittee can already sell such wine at retail at the farmers' market. He or she must be invited by the farmers' market and hold a farmers' market wine sales permit.

*House Amendment "A" (1) eliminates the original bill's prohibition on selling alcohol for off-premises consumption on Easter, (2) adds the provision requiring someone age 18 or over to approve all beer sales at grocery stores, and (3) makes a technical and conforming change.

*House Amendment "B" (1) allows manufacturer permittees for a farm winery to sell at retail and offer free tastings of wine two hours earlier on Monday through Saturday and (2) eliminates a provision allowing farm wineries to sell or offer free tastings an hour earlier on Sunday.

EFFECTIVE DATE: Upon passage, except July 1, 2016 for the restaurant catering permit provision.

BACKGROUND

Legislative History

The House referred the bill (File 63) to the Finance, Revenue and Bonding Committee, which reported a substitute bill. The substitute bill eliminates a provision from the original bill that required in-state transporter permittees that transport alcohol into Connecticut to file a report with the Department of Revenue Services.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/04/2016)

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 45 Nay 3 (04/05/2016)